

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL/276**  
*(for 2<sup>nd</sup> Deferment)*

<b><u>Applicant</u></b>	: Wealthy Path Development Limited represented by DeSPACE (International) Limited
<b><u>Site</u></b>	: Lot 1846 RP in D.D. 120 and adjoining Government Land (GL), Ma Tin Pok, Yuen Long, New Territories
<b><u>Site Area</u></b>	: 1,103.9m <sup>2</sup> (including GL of about 303.2m <sup>2</sup> or 27.5%)
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Draft Yuen Long Outline Zoning Plan (OZP) No. S/YL/24
<b><u>Zoning</u></b>	: “Government, Institution or Community(1)” (“G/IC(1)”) (about 87.3%) [restricted to a maximum building height (BH) of 3 storeys (or 8 storeys for ‘School’ and ‘Hospital’ uses) excluding basement(s)]  "Government, Institution or Community (5)" (“G/IC(5)”) (about 12.7%) [restricted to a maximum BH of 95mPD]
<b><u>Application</u></b>	: Proposed Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly)

**1. Background**

- 1.1 On 7.6.2021, the applicant sought planning permission for proposed minor relaxation of building height restriction for permitted social welfare facility (residential care home for the elderly) at the application site (the Site) (**Plan A-1**).
- 1.2 On 23.7.2021, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer a decision on the application for two months, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address departmental comments. Upon receipt of the applicant’s FI on 26.8.2021, the application is scheduled for consideration at this meeting.

## **2. Request for Deferment**

On 29.9.2021, the applicant's representative wrote to the Secretary of the Board requesting the Board to further defer making a decision on the application for another two months so as to allow time to prepare further information (FI) to address departmental comments (**Appendix I**).

## **3. Planning Department's Views**

- 3.1 The application has been deferred once for two months at the request of the applicant to allow more time for the preparation of FI to address departmental comments. Since the last deferment on 23.7.2021, the applicant's representative has submitted FI on 26.8.2021, including Noise Impact Assessment, Drainage Impact Assessment, Tree Preservation Proposal and revised Landscaping Proposal, revised photomontages, revised Visual Impact Assessment and Traffic Impact Assessment. The applicant has indicated more time is needed for consultation with relevant departments and preparation of FI to address the respective comments.
- 3.2 The Planning Department has no objection to the request for deferment as the justifications for deferment meet the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33A)<sup>1</sup> in that the applicant needs more time to prepare FI in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 3.3 Should the Committee agree to defer making a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of FI from the applicant. If the FI submitted by the applicant is not substantial and can be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. Since it is the second deferment of the application, the applicant should be advised that the Committee has allowed a total of four months including the previous deferment for preparation of submission of FI, and no further deferment would be granted unless under very special circumstances.

## **4. Decision Sought**

The Committee is invited to consider whether or not to accede to the applicant's request for deferment. If the request is not acceded to, the application will be submitted to the Committee for consideration at the next meeting.

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<sup>1</sup> The number of deferments to be granted stipulated under TPB PG-No.33A is not applicable to this application which was received before the promulgation of the revised guidelines on 24.8.2021.

**5.     Attachments**

**Appendix I**           Letter dated 28.9.2021 from the applicant's representative

**Plan A-1**             Location plan

**PLANNING DEPARTMENT  
OCTOBER 2021**